IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

OP.No. 36502 of 2001(U)

PETITIONER:

CHAKOCHAN A.M.,
PUTHUSSERIL HOUSE, KAKKAD.P.O., PUNALUR,
KOLLAM DISTRICT.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
TALUK OFFICE, PATHANAPURAM, PUNALUR,
KOLLAM DISTRICT.

2. THE VILLAGE OFFICER, VALACODE,
PUNALUR, KOLLAM DISTRICT.

3. THE EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
KOLLAM.

4. SHRI.ABDUL AZEEZ, PUTHENVILAPURAYIL HOUSE,
NEDUMPARAMBU, PATHANAPURAM, PUNALUR,
KOLLAM DISTRICT.

BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
ADV. SMT.SMITHA SUKUMAR, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.NO. 36502/2001

ORDER ON CMP NO.59702/2001 IN O.P.NO. 36502/2001

DISMISSED.

01/12/2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE REGISTRATION PARTICULARS OF THE VEHICLE BEARING REGISTRATION NO.KL-01/4224.

P2 : COPY OF THE SALE AGREEMNT EXECUTED BETWEENT HE PETITIONER AND THE 4TH RESPONDENT DATED 30/12/1997.

P3 : COPY OF THE DEMAND NOTICE ISSUED BY THE FIRST RESPONDENT, THROUGH THE 2ND RESPONDENT, TO THE PETITIONER DATED 16/11/2001.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 36502 of 2001

Dated, this the 1st day of December, 2007

J U D G M E N T

Heard learned counsel for petitioner and learned standing counsel for Kerala Motor Transport Workers Welfare Fund Board.

2. Even though petitioner alleges that no notice was served before making provisional determination or final determination order, learned standing counsel for Motor Transport Workers Welfare Fund Board submits that in spite of repeated notices for demand of advance contribution for four workers, petitioner has not responded. If petitioner does not co-operate with the enquiry, it is for the respondents to finalise the adjudication and recover the amount. Petitioner is given an opportunity to approach the 3rd respondent with his objections along with copy of this judgment, for the 3rd respondent to furnish the details of enquiry conducted by him, hear the petitioner and adjudicate the matter. 3rd respondent is directed to complete final adjudication within a period of two months from the date of receipt of this judgment. Petitioner will produce copy of this judgment along with objections, and co-operate with the enquiry and for completion of adjudication proceedings.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg